

**FILED**  
HARRISBURG, PA

NOV 13 2019

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PER

  
DEPUTY CLERK

UNITED STATES OF AMERICA

NO. 1:19-CR- 332

v.

(JUDGE Conner )

JAMES TYLER MURPHY,

(ELECTRONICALLY FILED)

Defendant.

INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

(Use of minor to produce child pornography)

Beginning as early as on or about April 3, 2018 and continuing through at least on or about April 29, 2018, in York County, in the Middle District of Pennsylvania, the defendant,

**JAMES TYLER MURPHY,**

did knowingly employ, use, persuade, induce, entice and coerce a minor, Victim 1, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, and the visual depiction was produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer.

All in violation of Title 18, United States Code, Section 2251(a).

**THE GRAND JURY FURTHER CHARGES:**

**COUNT TWO**  
**(Receipt of child pornography)**

Beginning as early as on or about April 3, 2018 and continuing through at least on or about April 29, 2018, in York County, in the Middle District of Pennsylvania, the defendant,

**JAMES TYLER MURPHY,**

did knowingly receive and distribute, and attempt to receive and distribute child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that had been shipped or transported in or affecting interstate commerce by any means, including by computer.

All in violation of Title 18, United States Code, Sections 2252A(a)(2)(A).

### **NOTICE OF FORFEITURE**

The allegations contained in Counts One and Two of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 2253.

The Grand Jury further finds probable cause that:

Upon conviction of any offense in violation of Title 18, United States Code, Section 2251, 2251A, or 2252, the defendant, James Tyler Murphy, shall forfeit to the United States:

- a. any visual depiction described in 18 U.S.C. §§ 2251, 2251A, or 2252, 2252A, 2252B or 2260, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Title 18, United States Code, Chapter 110, pursuant to 18 U.S.C. § 2253(a)(1);
- b. any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense(s), pursuant to 18 U.S.C. § 2253(a)(2); and
- c. any property, real or personal, used or intended to be used to commit or to promote the commission of such offense(s), or any property traceable to such property, pursuant to 18 U.S.C. § 2253(a)(3).

The property to be forfeited to the United States includes, but is not limited to, all computer(s) and/or electronic equipment used or

intended to be used to commit or to promote the commission of such offense(s). If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;


the United States shall be entitled to forfeiture of any other property of the defendant up to the value of the above-described forfeitable property, as substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b) and Title 28, United States Code, Section 2461(c).

A TRUE BILL,

FOREPERSON

DATE

DAVID J. FREED  
UNITED STATES ATTORNEY

  
JAMES T. CLANCY  
ASSISTANT U.S. ATTORNEY